



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/891,501	06/27/2001	Jun Akikusa	SHG-0047	8796

23353 7590 05/27/2005

RADER FISHMAN & GRAUER PLLC  
LION BUILDING  
1233 20TH STREET N.W., SUITE 501  
WASHINGTON, DC 20036

EXAMINER

ALEJANDRO, RAYMOND

ART UNIT	PAPER NUMBER
----------	--------------

1745

DATE MAILED: 05/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARK  
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
--------------------	-------------	-----------------------	---------------------

09/891501

EXAMINER
----------

ART UNIT	PAPER NUMBER
----------	--------------

1745

05/23/05

DATE MAILED:

INTERVIEW SUMMARY

All participants (applicant, applicant's representative, PTO personnel):

(1) Lee Cheng (Attorney) (3) Raymond Alejandre  
(2) Jun Aikikusa (Inventor) (4) \_\_\_\_\_

Date of Interview 05/23/05

Type: ☐ Telephonic ☐ Televideo Conference ☒ Personal (copy is given to ☐ applicant ☒ applicant's representative).

Exhibit shown or demonstration conducted: ☐ Yes ☐ No If yes, brief description: \_\_\_\_\_

Agreement ☐ was reached. ☒ was not reached.

Claim(s) discussed: all (claim 1)

Identification of prior art discussed: German document '431

Description of the general nature of what was agreed to if an agreement was reached, or any other comments: applicant wanted to discuss the new matter issue and the 35 USC 103 rejection. As for the new matter, it was agreed to take the foreign documents (one more time) to the PTO translator so as to clarify the specific translation of such disclosure. New matter rejection will be withdrawn only if PTO translator translates it as argued by applicant. <sup>→ 80% or less</sup> With respect to the 35 USC 103 rejection, applicant argued that his electrolyte layer including two electrolyte layers differs from the prior art simply  
(A fuller description, if necessary, and a copy of the amendments, if available, which the examiner agreed would render the claims allowable must be attached. Also, where no copy of the amendments which would render the claims allowable is available, a summary thereof must be attached.)

☐ It is not necessary for applicant to provide a separate record of the substance of the interview.

Unless the paragraph above has been checked to indicate to the contrary. A FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION IS NOT WAIVED AND MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW.

Examiner Note: You must sign this form unless it is an attachment to another form.

\*because the intermediate layer thereof is not taught as having electrolytic properties. Nevertheless, the examiner contended that such intermediate layer is made of the same composition and thus, it necessarily exhibits the same property (i.e. electrolytic behavior). It's the applicant's position that electrolytes are impermeable to gas. It's the applicant's argument that the prior art specifically teaches that the intermediate layer is permeable to gas.

8/2/05  
05/23/05